



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/737,299	12/16/2003	Isaac D. White	BEI-0039US	7666
49584	7590	02/10/2006	EXAMINER	
LEE & HAYES, PLLC 421 W. RIVERSIDE AVE. SUITE 500 SPOKANE, WA 99201			LE, TAN	
			ART UNIT	PAPER NUMBER
			3632	

DATE MAILED: 02/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/737,299	Applicant(s) WHITE ET AL.	
	Examiner Tan Le	Art Unit 3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-20 is/are pending in the application.
- 4a) Of the above claim(s) 2, 4, 17 and 20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 5-8 10-16, 18 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is the third office action for Application No. 10/737,299. This office action is responsive to Applicant's amendment filed 08/17/05 and 11/25/05, which contains 19 claims numbered 1-8 and 10-20. Claim 9 has been canceled.

Election/Restrictions

2. Applicant's election without traverse of the species I of Figures 2-3, claims 1, 3, 5-8, 10-16 and 18-19 in the reply filed on 11/25/05 is acknowledged. Currently claims 1, 3, 5-8, 10-16 and 18-19 are readable on the elected species.

3. Claims 2, 4, 17 and 20 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 3, 5-8, 10-16 and 18-19 are under 35 U.S.C. 103(a) as being unpatentable over Brown (US patent No. 6,709,172) in view of US Patent no. 6,158,555 to Brown, Jr.

Claims 1 and 18 read on Brown as follows: Brown teaches a surveillance system comprising a base (26, see Fig. 1, 14 or 20 for example) adapted for attachment to a surface; at least one segment (408) connected to the base; a receptacle (14 generally)

Art Unit: 3632

attached to a portion of the at least one segment; a control system "operative associated" (34, 48, 33 etc.) with a cable drop system.

Brown teaches substantially as claimed except for a drive mechanism operatively coupled to respond to the control system.

Brown, Jr. depicts generally in a control panel 16 is generally mounted to the exterior surface of the vehicle and control the extension and retraction of the mast 4 through drive mechanism (not shown).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the mast or post of Brown to include a drive mechanism operatively control by the control panel associated with a control system as in Brown, Jr. in order to raise or lower the post or mast telescopically.

As to claims 3 and 5, Brown in view of Brown, Jr. also teaches the base including at least one attachment device (416 or 22) structured for attachment of the base to the attachment surface (the frame of the trailer); wherein the base can be removably attached to the attachment surface.

As to claims 6-8, Brown in view of Brown, Jr. also teaches at least a second segment (406, 4) attached to the at least one segment which includes a substantially stationary segment attached to the base, wherein the segments are structured in a telescoping configuration and wherein the receptacle includes a generally upwardly open U-shaped configuration (14, 22).

As to claims 10-13, the subject matter of claims 10-13 also shows on Brown in view of Brown, Jr. which includes at least one control system selected from the group of

processor (34), a wire line medium (48, and digital recorder (33) etc, wherein the control system can be configured for receiving instructions communicated through at least one communication media from at least one communication device.

As to claims 14-16, the subject matter of claims 14-16, specially claim 14 also reads on Brown in view of Brown, Jr. (See description of Brown or Brown, Jr. either implicitly or explicitly)

As to claim 19, claim 19 recite limitations similar to those recited in claims 1 and 8 therefore also reads on Brown in view Brown, Jr.

Response to Arguments

5. Applicant's arguments filed 08/17/05 have been fully considered but they are not persuasive.

Applicant have further amended claims 1 and 18 by calling for at least one mechanical drive mechanism operatively coupled to respond to the control system. However, these claims and along with other dependent claims still read on Brown in view of Brown, Jr. as pointed out in the new ground of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Le whose telephone number is (571) 272-6818. The examiner can normally be reached on Mon. through Fri. from 9:00 AM-6:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert P. Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3632

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tan Le
January 27, 2006.



ANITA KING
PRIMARY EXAMINER